

111TH CONGRESS
1ST SESSION

H. R. 3917

To amend title XVIII of the Social Security Act to modernize and improve the Medicare payment methodology for radiopharmaceuticals under the hospital outpatient prospective payment system and to ensure equitable payment and patient access to certain low volume, high cost radiopharmaceuticals.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 22, 2009

Mr. STUPAK (for himself and Mr. PITTS) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to modernize and improve the Medicare payment methodology for radiopharmaceuticals under the hospital outpatient prospective payment system and to ensure equitable payment and patient access to certain low volume, high cost radiopharmaceuticals.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Medicare Nuclear Medi-
3 cine Payment Group Clarification Act of 2009”.

4 **SEC. 2. PAYMENT GROUP STANDARDS FOR NUCLEAR MEDI-**
5 **CINE PROCEDURES AND RADIOPHARMA-**
6 **CEUTICALS.**

7 (a) IN GENERAL.—The last sentence of section
8 1833(t)(2) of the Social Security Act (42 U.S.C.
9 1395l(t)(2)) is amended—

10 (1) by inserting “, including for a nuclear medi-
11 cine group the cost of any associated diagnostic
12 radiopharmaceutical that is included in the payment
13 for the service” after “(or mean cost, if so elected)
14 for an item or service within the group”; and

15 (2) by inserting “or in the case of services with-
16 in a nuclear medicine group” after “Federal Food,
17 Drug and Cosmetic Act”.

18 (b) EFFECTIVE DATE.—The amendments made by
19 subsection (a) shall apply to items and services furnished
20 on or after January 1, 2010.

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